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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,930	01/16/2004	Jie Zou	SKY03011	6524

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VERIZON  
PATENT MANAGEMENT GROUP  
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ARLINGTON, VA 22201-2909

EXAMINER
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BLOUNT, ERIC

ART UNIT	PAPER NUMBER
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2612

NOTIFICATION DATE	DELIVERY MODE
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09/12/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@verizon.com

## Office Action Summary

Application No.

10/758,930

Applicant(s)

ZOU ET AL.

Examiner

Eric M. Blount

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28, 30 and 32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28, 30, 32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This application is in response to RCE filed August 7, 2007. Claims 1-28, 30, and 32 are currently pending in this application. Claims 1, 9, 10, 18, 19, 27, 28, 30, and 32 are amended.

#### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-28, 30, and 32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Each of the independent claims includes the limitation “whereby the telemetry device can organize at least one queue for prioritizing the at least one message”. The use of the word “can” renders the claim indefinite because it is unclear whether the telemetry device is merely capable of organizing a queue or if the telemetry device actually performs a positive step in organizing a queue.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-8, 10-17, 19-26, 28, 30, and 32, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Novik [U.S. Patent No. 6,339,745] in view of Bromley et al [Pub No. US 2004/0167689 A1] in further view of Moore [U.S. Patent No. 6,377,210 B1].

Regarding **claim 1**, Novik discloses a method for managing a plurality of tracked objects; each tracked object corresponds with a telemetry device (see abstract). The method comprises receiving a request for at least one action to be performed by the at least one corresponding telemetry device and transmitting, to the at least one corresponding telemetry device, at least one message including information indicating the at least one action, at least one geographical map indication of at least one location of each tracked vehicle is displayed (Figures 1&2, column 2, and column 4, lines 45-63). Novik's transmission of a message reads on the applicants' claimed at least one message. Novik does not specifically disclose that a web browser is used in the method.

In an analogous art, Bromley discloses a system and method for managing a plurality of tracked objects (100), each tracked object (128) associated with a corresponding telemetry device (130). The method comprises a step of the telemetry device or devices receiving from a web browser at least one request for at least one action to be performed (paragraph 38). The web browser is configured to display information about one of or each of a plurality of tracked objects (Figures 3-6B and paragraph 96).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to modify the invention of Novik to include the use of a web browser as taught by Bromley because the modification would have resulted in a system capable of monitoring a

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plurality of tracked objects from a remote location using a well known Internet web-based browser environment for reliably communicating information.

Neither Novik nor Bromley disclose a step of determining whether one of the tracked objects includes a status of in range of a service provider. In an analogous art, Moore discloses an automatic mobile object locator wherein a user is permitted to specify an area of interest within a coverage area of the telemetry device (column 8, lines 53-65). Moore shows that a user is capable of adjusting the display of the web browser to provide information regarding at least one telemetry device being tracked (in the coverage area). The manipulation of the map is interpreted as allowing a user to specify an area of interest within the coverage area of the telemetry device. It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to modify the invention of Novik as modified by Bromley, to include the capability of specifying an area of interest, as taught by Moore, because the modification would result in a system that would allow a user to selectively control the type of information being presented. The modification would make it possible for a user to monitor a particular telemetry device in a particular area or even a plurality of telemetry devices in a specified area.

None of the references specifically disclose that the telemetry device organizes a queue for prioritizing the at least one message. However, when one message is received, the telemetry device will process and perform the required action. This meets the limitation of one message indicating one action as required by the presently present claims. Methods of queuing and processing information such as FIFO, LIFO, etc were well known in the art at the time of the invention by the applicant. In the event that several messages were transmitted to a telemetry device, it would have been obvious to one of ordinary skill in the art at the time of the invention

by applicant to apply the known sequencing methods for handling a plurality of messages to improve the processing capabilities of the electronic devices taught by the references for the predictable result of efficiently processing and performing actions required by received messages in a predetermined manner.

As for **claims 2 and 3**, Novik discloses a method wherein the at least one action includes instructing the tracked object to perform a tracked object activity. The tracked object activity includes several functions such as turning on the ignition of a vehicle on (column 13, line 65 – column 14, lines 16).

As for **claims 4 and 6**, disclosed is a method wherein the at least one action includes obtaining data indicating at least one status of the tracked object. The status of the tracked object may include location status (Novik, column 6, lines 3-13 and column 14, lines 40-54).

As for **claim 5**, it would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant that some type of Input/Output interface be present on the telemetry device taught by Novik. One of ordinary skill in the art would recognize that status information could be obtained from the Input/Output interface. Bromley discloses an Input/Output interface located on the telemetry device for communication (paragraphs 63 and 64). This reasonably appears to meet the limitations set forth by the claims. Further applicant admits, “status may be obtained by any number of means” in the response to the Official action mailed July 13, 2005. Thus, while Novik and Bromley reasonably suggest the limitation, the use of an Input/Output interface to obtain status information can be viewed as a matter of design.

Regarding **claim 7**, Novik discloses a method of receiving from the at least one corresponding telemetry devices, a message including an indication of at least one status of the

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corresponding tracked object and transmitting display information including a display indicator of an alert based on the at least one status (column 4, lines 20-67 and column 12, lines 59-67). It would have been obvious to one of ordinary skill in the art at the time of the invention that if a web browser were used, as taught by Bromley, that the display information would be transmitted to the web browser for display.

As for **claim 8**, Novik does not specifically disclose a method for preprocessing and transmitting information to a web browser. Bromley discloses that communication with a web browser includes the transmission of information, which is processed by a server and sent in a file with associating data to the web browser (paragraphs 52 and 53). It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant that map images transmitted by Novik would be processed by the server taught by Bromley if the map information were to be displayed by the web browser.

Regarding **claim 10**, disclosed is a display device for managing a plurality of tracked objects associated with a corresponding telemetry device (Novik, column 6, lines 14-33). The device may be configured to process a request for at least one action to be performed by the at least one corresponding telemetry device, to display at least one geographical map indication of at least one location of each tracked object, and to transmit information for inclusion in a message for transmission to the corresponding telemetry device, the message including information indicating the at least one action (column 4, line 55 – column 6, line 2 and column 14, lines 1-15). Novik's transmission of a message reads on the applicants' claimed at least one message. Novik does not specifically disclose that a web browser is used with the display device.

In an analogous art, Bromley discloses a system and method for managing a plurality of tracked objects (100), each tracked object (128) associated with a corresponding telemetry device (130). The display device comprises a web browser configured to process at least one request for at least one action to be performed by a corresponding telemetry device (paragraph 38). It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to modify the display device of Novik to include the use of a web browser as taught by Bromley because the modification would have resulted in a system capable of monitoring a plurality of tracked objects from a remote location using a well known Internet web-based browser environment for reliably communicating information.

Neither Novik nor Bromley disclose a step of determining whether one of the tracked objects includes a status of in range of a service provider. Moore shows that a user is capable of adjusting the display of the web browser to provide information regarding at least one telemetry device being tracked (in the coverage area). The manipulation of the map is interpreted as allowing a user to specify an area of interest within the coverage area of the telemetry device. It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to modify the invention of Novik as modified by Bromley, to include the capability of specifying an area of interest, as taught by Moore, because the modification would result in a system that would allow a user to selectively control the type of information being presented. The modification would make it possible for a user to monitor a particular telemetry device in a particular area or even a plurality of telemetry devices in a specified area.

None of the references specifically disclose that the telemetry device organizes a queue for prioritizing the at least one message. However, when one message is received, the telemetry



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device will process and perform the required action. This meets the limitation of one message indicating one action as required by the presently present claims. Methods of queuing and processing information such as FIFO, LIFO, etc were well known in the art at the time of the invention by the applicant. In the event that several messages were transmitted to a telemetry device, it would have been obvious to one of ordinary skill in the art at the time of the invention by applicant to apply the known sequencing methods for handling a plurality of messages to improve the processing capabilities of the electronic devices taught by the references for the predictable result of efficiently processing and performing actions required by received messages in a predetermined manner.

As for **claims 11 and 12**, Novik discloses a method wherein the at least one action includes instructing the tracked object to perform a tracked object activity. The tracked object activity includes several functions such as turning on the ignition of a vehicle on (column 13, line 65 – column 14, lines 16).

As for **claims 13 and 15**, disclosed is a method wherein the at least one action includes obtaining data indicating at least one status of the tracked object. The status of the tracked object may include location status (Novik, column 6, lines 3-13 and column 14, lines 40-54).

As for **claim 14**, it would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant that some type of Input/Output interface be present on the telemetry device taught by Novik. One of ordinary skill in the art would recognize that status information could be obtained from the Input/Output interface. Bromley discloses an Input/Output interface located on the telemetry device for communication (paragraphs 63 and 64). This reasonably appears to meet the limitations set forth by the claims. Further applicant

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admits, "status may be obtained by any number of means" in the response to the Official action mailed July 13, 2005. Thus, while Novik and Bromley reasonably suggest the limitation, the use of an Input/Output interface to obtain status information can be viewed as a matter of design.

Regarding **claim 16**, Novik discloses a method of receiving from the at least one corresponding telemetry devices, a message including an indication of at least one status of the corresponding tracked object and transmitting display information including a display indicator of an alert based on the at least one status (column 4, lines 20-67 and column 12, lines 59-67). It would have been obvious to one of ordinary skill in the art at the time of the invention that if a web browser were used, as taught by Bromley, that the display information would be transmitted to the web browser for display.

As for **claim 17**, Novik does not specifically disclose a method for preprocessing and transmitting information to a web browser. Bromley discloses that communication with a web browser includes the transmission of information, which is processed by a server and sent in a file with associating data to the web browser (paragraphs 52 and 53). It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant that map images transmitted by Novik would be processed by the server taught by Bromley if the map information were to be displayed by the web browser.

As for **claim 19**, Novik discloses a computer readable medium carrying one or more sequences of one or more instructions for prioritizing transmission of messages from a telemetry device (column 4, line 64-column 5, line 67). Novik also discloses the steps of receiving and transmitting as stated in the claim. Bromley discloses the use of a web browser for transmitting and receiving information from corresponding telemetry devices. Moore discloses that a user is

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able to specify an area of interest within a coverage area of the telemetry device. Please refer to the discussion of claims 1 and 10 above for further explanation.

As for **claims 20 and 21**, Novik discloses a method wherein the at least one action includes instructing the tracked object to perform a tracked object activity. The tracked object activity includes several functions such as turning on the ignition of a vehicle on (column 13, line 65 – column 14, lines 16).

As for **claims 22 and 24**, disclosed is a method wherein the at least one action includes obtaining data indicating at least one status of the tracked object. The status of the tracked object may include location status (Novik, column 6, lines 3-13 and column 14, lines 40-54).

As for **claim 23**, the claim is interpreted and rejected as explained in the rejections of claims 5 and 14 above.

As for **claim 25**, the claim is interpreted and rejected as explained in the rejection of claim 19 above.

As for **claim 26**, the claim is interpreted and rejected as explained in the rejections of claims 8 and 17 above.

Regarding **claims 28 and 30**, Novik, Bromley, and Moore reasonably teach or suggest all of the limitations set forth by the claims. Please refer to the claims above for a further explanation of how the references describe or suggest all claimed limitations.

6. Claims 9, 18, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Novik in view of Bromley and in further view of Moore as applied to the claims above and further in view of Kittredge et al [US 7,103,627 B2].

Regarding **claim 9**, Novik discloses a method for managing a plurality of tracked objects; each tracked object corresponds with a telemetry device (see abstract). The method comprises receiving a request for at least one action to be performed by the at least one corresponding telemetry device and transmitting, to the at least one corresponding telemetry device, a message including information indicating the at least one action, at least one geographical map indication of at least one location of each tracked vehicle is displayed (Figures 1&2, column 2, and column 4, lines 45-63). Novik's transmission of a message reads on the applicants' claimed at least one message. Novik does not specifically disclose that a web browser is used in the method.

In an analogous art, Bromley discloses a system and method for managing a plurality of tracked objects (100), each tracked object (128) associated with a corresponding telemetry device (130). The method comprises a step of the telemetry device or devices receiving from a web browser at least one request for at least one action to be performed (paragraph 38). The web browser is configured to display information about one of or each of a plurality of tracked objects (Figures 3-6B and paragraph 96).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to modify the invention of Novik to include the use of a web browser as taught by Bromley because the modification would have resulted in a system capable of monitoring a plurality of tracked objects from a remote location using a well known Internet web-based browser environment for reliably communicating information.

None of the references specifically disclose that the telemetry device organizes a queue for prioritizing the at least one message. However, when one message is received, the telemetry device will process and perform the required action. This meets the limitation of one message

indicating one action as required by the presently present claims. Methods of queuing and processing information such as FIFO, LIFO, etc were well known in the art at the time of the invention by the applicant. In the event that several messages were transmitted to a telemetry device, it would have been obvious to one of ordinary skill in the art at the time of the invention by applicant to apply the known sequencing methods for handling a plurality of messages to improve the processing capabilities of the electronic devices taught by the references for the predictable result of efficiently processing and performing actions required by received messages in a predetermined manner.

Neither of the aforementioned inventions teaches the use of servlets for processing. Kittredge discloses that servlets using a Java platform were well known in the art at the time of the invention by the applicant (column 11, lines 34-50). Examiner contends that it would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to use and/or develop an appropriate servlet, as taught by Kittredge for communicating with a web browser by receiving a request and providing an appropriate response. This practice was well known and commonly used in the art at the time of the invention by the applicant. The use of servlets for processing would have been obvious because the technique was known and recognized as part of the ordinary capabilities of one skilled in the art.

As for **claim 18**, the claim is interpreted and rejected as explained in the rejection of claim 9 above.

As for **claim 27**, the claim is interpreted and rejected as explained in the rejection of claim 9 above.

7. Claim 32 as best understood, is rejected under 35 U.S.C. 103(a) as being unpatentable over Novik in view of Bromley, in further view of Moore as applied to claim 1 above, and further in view of Hamrick et al [US 6,356,841 B1].

Neither Novik, Bromley, nor Moore specifically disclose generating an alert if a boundary of an area of interest is crossed. Hamrick discloses tracking a plurality of objects wherein restricted zones cause an exception to be noted (column 4, lines 50-55). It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to modify the invention of Novik as modified by Bromley and Moore to include a method for generating an alert/note when dangerous and /or restricted regions are entered. The modification would have been obvious because it would make the system more secure. Users would be able to determine if tracked objects were in safe operating regions and make a determination as to what action, if any, needed to be taken.

### *Conclusion*

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M. Blount whose telephone number is (571) 272-2973. The examiner can normally be reached on Monday-Thursday 8:00 am - 4:00 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Eric M. Blount  
Examiner  
Art Unit 2612

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**BENJAMIN C. LEE**  
**PRIMARY EXAMINER**